

ILECs' reserve deficiencies, which had been built up by inadequate lives and methods, in a timely manner. Unfortunately, when the FCC allowed the ILECs to amortize this reserve deficiency over five years, it understated the size of the deficiency by using the lives prescribed at that time (rather than economic lives) to calculate a theoretical reserve level.

The FCC also recognized that past lives sometimes create significant reserve imbalances as a technology nears the end of its life span. To remedy this type of situation, the FCC adopted special procedures for such "dying accounts."²¹ The most obvious example of the ILECs' past need for this type of remedy was in electromechanical switching. Both the ILECs' life proposals and the FCC's life prescriptions for electromechanical switching did not properly predict the avalanche of retirements that occurred in the late-1970s and early-1980s (i.e., the rapid displacement of this technology by newer-technology switching equipment). The point here is, if the demise of electromechanical switching had been recognized early enough in time, an extraordinary effort to catch-up the reserves (i.e., the amortizations of the reserve deficiencies for these dying accounts) would not have been required.

Even further evidence of the FCC's acknowledgment that past lives have been too long is their acceptance of somewhat shorter lives in the last few years. However, even these shorter lives are generally much longer than the economic lives proposed by the ILECs. Since the FCC has not accepted the ILECs' shorter life proposals, which more-accurately and more-realistically reflect the usefulness of their plant in an environment of more-rapid obsolescence caused by technology and competition, it is highly likely that dying account amortizations will also be required in the future. However, even though this type of procedure was somewhat more acceptable in the less competitive environment of the past, these extraordinary reserve catch-ups are not appropriate in the competitive environment contemplated by the Telecommunications Act of 1996 ("Act"), because such catch-ups unfairly disadvantage the ILECs. Therefore, the ILECs and the regulators should utilize more-realistic, economic lives to prevent the need for a delayed catch-up for other accounts affected by avalanching retirements at the end of their life spans, such as will happen with copper cable.²²

III. Proper Asset Lives for SWBT and the Other ILECs

Whereas the ILECs have performed and reviewed forecasts of asset lives for many years, MiCRA does not undertake any independent analysis to determine what lives the ILECs should be using. Instead, MiCRA simply presumes the FCC's presently-prescribed lives to be correct.²³ Of course, doing so incorrectly (and circularly) gives them the result they desire.

²¹ Dying account amortizations were introduced by the FCC in its 1983 triennial represcription Order, FCC 83-587, released December 20, 1983, paragraphs 42-43.

²² John P. Lube, *op. cit.*, page 14-15.

²³ MiCRA, *op. cit.*, page 13.

The ILECs use several forecasting techniques to predict the lives of their major asset categories.²⁴ These include life cycle, technology substitution, and other forms of analysis. The ILECs' life forecasts are generally consistent not only with each other, but also with the industry studies prepared by Technology Futures, Inc. (TFI) and other depreciation experts. The TFI studies use past and present evidence of the actual substitution of older technologies by newer technologies to forecast the lives of the ILECs' present assets. The TFI studies also address the impact of competition on the cash flows the ILECs' present networks can be reasonably expected to generate in future years (and hence, the impact of competition on the useful lives of these network assets).

One of the most relevant aspects of the ILECs' analyses and TFI's studies is the distinction between the physical retirements of assets and the economic value of those same assets.²⁵ The FCC places considerable reliance on the ILECs' historical retirements, as well as their budgeted retirements three years into the future, to determine lives. The ILECs and TFI, on the other hand, determine more-realistic lives by assessing the future declines in economic value of the assets, based not on physical retirements, but instead, on such factors as the pace of customers' migration off of those assets, the future cash flows which can be generated by those assets, and the actual substitution of newer technologies for those assets. This important distinction between physical retirements and economic value recognizes, for example, that all large copper cables may: (a) gradually lose the use of their pairs over the next ten to fifteen years; and (b) not be physically retired until ten to fifteen years from now. Lives improperly determined with physical retirements would appear to be very long until the last few years, even though economic value is declining throughout this entire period. Conversely, lives properly determined by recognizing now this gradual loss of economic value allow the depreciation of the assets to be fast enough to achieve full depreciation by the end of the assets' useful lives.

AT&T states, "there is no evidence that actual useful lives are shorter than lives approved by regulators."²⁶ However, the ILECs have presented considerable evidence to the FCC in connection with depreciation represcriptions (e.g., the life cycle analyses and technology substitution analyses discussed above) showing the need for shorter, more-realistic asset lives. In fact, the lives used by AT&T itself, and by other non-ILEC telecommunications providers, are perhaps the best evidence that the ILECs' useful lives are shorter than the lives prescribed for them by the FCC.

Most firms, including the non-ILEC telecommunications providers, do not publicly disclose their asset lives used for financial reporting. However, the FCC did prescribe AT&T's depreciation lives up through 1994.²⁷ The lives prescribed in 1994 for AT&T by the FCC are considerably shorter than those prescribed for the ILECs by the FCC even

²⁴ John P. Lube, op. cit., pp. 10-12.

²⁵ Ibid., pp. 12-15.

²⁶ AT&T, op. cit., page 33 (partial paragraph at top).

²⁷ The lives last approved by the FCC for AT&T's use can be found in the FCC's Memorandum Opinion and Order (FCC 95-32), released January 31, 1995 (and the associated AT&T Parameter Report which shows the underlying projection lives prescribed for AT&T by the FCC in this same represcription).

since that time. This is because the FCC, in its "depreciation simplification" docket, granted AT&T broad latitude in selecting its own depreciation lives, by allowing AT&T to use the Price Cap Carrier Option in its new simplification rules.²⁸ The FCC allowed AT&T this latitude because, at that time, AT&T operated in "a more competitive environment than the [ILECs]."²⁹ The FCC's decision for AT&T was also consistent with the fact that AT&T's price cap plan never had earnings sharing, and therefore, there was no tie between AT&T's regulated depreciation and AT&T's prices. However, because AT&T and the ILECs will be directly competing with each other in the new competitive environment, it is both logical and reasonable that the ILECs' asset lives should be more nearly the same as those already allowed for AT&T by the FCC (as well as those used by other telecommunications providers), rather than the longer lives currently prescribed for the ILECs by the FCC.

Table 1 shows the most-recent projection lives prescribed for AT&T and SWBT by the FCC for major, technology-driven accounts. It is evident from this table that SWBT's prescribed lives are currently much longer than AT&T's, a situation that must be remedied.

Table 1
Comparison of Prescribed Projection Lives

<u>Account</u>	<u>AT&T</u>	<u>SWBT</u>
Digital Electronic Switching	9.7	16.0
Digital Circuit	7.2	11.0
Analog Circuit	2.5	8.2 - 12.5
Copper Cable	3.4 - 15.0	20.0 - 25.0
Fiber Cable	20.0	25.0

Sources: AT&T Parameter Report, 1994 FCC represcription.
SWBT Parameter Report, 1996 FCC represcription.

Even though the other non-ILEC telecommunications firms do not publicly disclose their asset lives, the overall pace of their depreciation can still be estimated, using information available from their annual reports. To do this, a composite depreciation rate can be estimated by dividing the annual depreciation and amortization expense by the average depreciable investment (i.e., excluding land, if it can be identified, because land is not depreciable) during the year under report. This calculation can also be done for AT&T using its annual report data. Because AT&T had considerable freedom to choose actual useful depreciation lives in its 1994 FCC represcription, it is reasonable to assume

²⁸ FCC's Report and Order, CC Docket No. 92-296 (FCC 93-452), released October 20, 1993, paragraphs 8, 38, 92-94.

²⁹ *Ibid.*, paragraph 92.

that this calculation for AT&T would closely reflect AT&T's prescribed lives. That is, it is very doubtful that AT&T's financial depreciation (e.g., in its annual report) would use asset lives longer than those prescribed by the FCC in 1994 for AT&T's regulated depreciation.³⁰

Table 2 shows the estimated composite depreciation rates for a few non-ILEC telecommunications providers. For comparison, this table also shows the FCC-prescribed composite rate for SWBT and the average FCC-prescribed composite rate for the ILECs.³¹

Table 2
Comparison of Composite Depreciation Rates

AT&T	10.5%
MCI	9.9%
Sprint (IXC only)	9.1% ³²
MFS	13.5%
SWBT	6.9%
ILEC Average	7.3%

Source: Non-ILECs: 1995 annual reports.

SWBT: Statement B, 1996 FCC represcription.

ILEC Average: Data from ILECs.

It should be noted that these rates for MCI, Sprint, and MFS are somewhat understated, because their annual report data does not allow the exclusion of land from the investment amounts.

Because of the similarity in the estimated composite depreciation rates for the four firms listed above, it is reasonable to assume that their asset lives are very nearly the same. This conclusion is also reasonable because all four of these firms: (a) currently operate in competitive telecommunications markets; (b) will compete with the ILECs in telecommunications markets; (c) generally use the same types of assets to provide competitive services; and (d) have the freedom to choose asset lives they deem to be appropriate.

³⁰ In fact, the FCC's Order in AAD 93-18 (DA 94-540), released May 31, 1994, paragraph 3, confirms AT&T's desire "to compute and record its regulated depreciation expenses in conformity with depreciation rates it uses for financial reporting purposes."

³¹ The average FCC-prescribed composite depreciation rate for the ILECs is an investment-weighted average for the price cap, FCC-subject ILECs.

³² Sprint's estimated composite rate ranged from 9.1% to 9.7% over the period 1993-1995.

Furthermore, the ILECs use the same major technologies as these four firms (e.g., digital electronic switching, digital circuit equipment, and fiber cable). Because the Act intends for these firms to compete with the ILECs, there is no basis for any of these firms, including the ILECs, to use asset lives significantly different from those used by the others.

IV. Causes for the Obsolescence of the ILECs' Plant and the Need for Shorter Lives

Some Comments in this proceeding assert that the ILECs have made significant investment for non-telephone services.³³ These assertions are unfounded, and ignore the dynamics of the telecommunications industry relative to customers' service demands, the cost efficiencies of new technology, and the intentions of the Act.

It is true that the ILECs' present networks have been put in place over many years principally for providing "telephone services" (including, more recently, access services for interexchange carriers). It is likewise true that most of the ILECs' customers currently use only these telephone services. However, as explained in the TFI report titled Implications of Technology Change and Competition on Local Exchange Carriers, the telephony network has undergone considerable evolution and modernization over the past several decades, just to keep up with changing perceptions of telephone service.³⁴ More and more of the ILECs' telephone customers are demanding more-sophisticated, more-reliable, higher-bandwidth services today. Therefore, the definition of telephone service is still evolving. As well, the ILECs' networks must also evolve to meet these customer demands.

Further, the ILECs cannot be expected to maintain separate networks for: (a) "basic" telephone services, as they would be defined by most customers today; and (b) more advanced telephony services that today's customers are already beginning to demand (and will demand more so in the future). Again, the ILECs' present networks must evolve to handle all customer demands for all telephony services.

Also, additions of newer-technology plant that are capable of providing both basic and advanced telephony services have allowed cost efficiencies in the ILECs' present networks. Both the capacity of the plant to serve total demand and the operating efficiencies of that plant are greater than those of the older technologies.

The Act itself intends for competition to stimulate the introduction of new technology and new services into the local service market (including access services). However, AT&T, MCI, and others would have the ILECs relegated to the provision of only basic telephony services, and to the technologies of the past. Even AT&T and other IXC's, as SWBT's customers, continue to press SWBT to provide the latest network

³³ For example, AT&T, *op. cit.*, pp. 11 and 31; "Assessing Incumbent LEC Claims to Special Revenue Recovery Mechanisms: ...", ETI, Appendix B to AT&T Comments, CC Docket No. 96-262, page 11; MiCRA, *op. cit.*, page 20.

³⁴ "Implications of Technology Change and Competition on Local Exchange Carriers", TFI, Attachment D to USTA Reply Comments, CC Docket No. 94-1 (4th FNPRM), section 3.b., pp. 13-14.

capabilities. Furthermore, the ILECs' numerous present and future competitors are modernizing networks, acquiring other providers' networks, and/or building new networks to become full-service providers of basic telephony services, Internet and higher-bandwidth data services, and other telecommunications services demanded by customers. Therefore, SWBT and the other incumbent ILECs must not be relegated to providing only narrow-bandwidth basic telephony services in the future, with their existing under-depreciated network. In addition, the IXCs and the ILECs' other competitors must not be allowed to gain and maintain unfair advantage over the ILECs through the regulators' out-of-date depreciation lives and methods.

Concurrent with the evolution and modernization of the ILECs' network is the need for the recovery of the present network, including both the older-technology plant and the newer-technology plant making up the present network. In particular, the older-technology plant will provide less value to the ILECs in the future not only because of the evolution to more advanced telephony services and the technologies required to provide those services, but also because competition (both wireless and wireline) in the ILECs' telephony markets will literally take some present customers away from the ILECs. This is simply to say that both the ILECs' catch-up of past under-depreciation and the ILECs' ongoing depreciation must be based on realistic asset lives which reflect all of these facets of economic obsolescence.

Said another way, the ILECs must depreciate their assets over the period of time for which those assets can realistically be expected to generate sufficient revenue to recover the assets. This period of time (i.e., the economic life) ends when the revenue-generating ability of those assets has decreased (with respect to the services that can use those assets, the customers left to use those services, and the competitive market prices of those services) to the point that further recovery is insignificant or non-existent. The ability of plant to generate sufficient revenue to cover its cost is a critical business issue. It is obvious that no business can survive for long by absorbing the costs of assets during a period of time in which those assets generate insufficient customer revenue to cover those costs. Thus, it is an elementary accounting concept to charge the cost of assets over the period for which the assets can generate revenue for the business. MiCRA incorrectly characterizes this basic accounting principle as a ILEC ruse for using current customers of basic telephony services to finance the replacement of their present network with a new network capable of providing "new non-telephony services."³⁵ This accusation is patently wrong for several reasons:

- Even the ILECs' present customers are demanding bandwidth and reliability which require the ILECs to deploy newer-technology plant now.
- Depreciation of today's plant cannot be regarded as a way to gather customers' money to finance future deployment of newer plant. Instead, it is a repayment from today's customers to the owners of the business, who contributed the original capital to buy

³⁵ MiCRA, op. cit., page 20.

the present plant. Even the National Association of Regulatory Utility Commissioners (of which the FCC is a prominent member) said in its 1968 depreciation manual:

"Depreciation accounting is the process of charging the book cost of depreciable property to operations over its life. ... The purpose is not, as many people erroneously think, to finance replacements."³⁶

In addition, there are two similar cites from the Iowa State text on depreciation, considered to be one of the definitive references from academia regarding depreciation:

"The sole purpose of depreciation cost accounting is to recover the depreciable cost of the property through charges to production cost. Obviously, such an objective is totally unrelated to replacement cost as well as to replacement. Depreciation cost accounting is not for the purpose of building up a fund for replacement of property."³⁷

"Although the capital invested in depreciable assets may be recovered, it is not necessarily preserved in the business. After the cost of an asset is recovered, management has the responsibility and freedom to use the funds in accordance with its best judgment."³⁸

Clearly, MiCRA disregards the real purpose of depreciation, the real "owner" of the ILECs' depreciation expense, and the propriety of charging and recovering that depreciation expense now.

V. The Inability of Remaining Life to Solve the ILECs' Reserve Problem

The MiCRA report cited by MCI would have one believe that problems simply will not exist in the ILECs' reserves, because of the FCC's adoption of the "remaining life" method of depreciation.³⁹ While my previous affidavit addresses the inability of the remaining life method to solve under-depreciation problems,⁴⁰ SWBT does acknowledge that the remaining life method is superior to the FCC's prior "whole life" method. Under whole life, any reduction in prescribed life would cause future depreciation accruals to reflect the new life, but nothing was done to compensate for all of the past under-accruals

³⁶ "Public Utility Depreciation Practices", National Association of Regulatory Utility Commissioners (1968), page 82, section 2.a.

³⁷ "Engineering Valuation and Depreciation", Marston, Winfrey, and Hempstead (1953), page 182, section 8.6.

³⁸ Ibid., page 183, section 8.7.

³⁹ MiCRA, op. cit., pp. 6-8 and 14 (partial paragraph at top).

⁴⁰ John P. Lube, op. cit., pp. 5-6, and 14 (first paragraph).

caused by the previous longer life. Remaining life, on the other hand, builds this compensation or catch-up into the future accruals. Therefore, the self-correcting nature of remaining life is an improvement over whole life. However, even remaining life is plagued by two limitations:

- Remaining life only corrects (in the future) those changes in lives that have already occurred. It is not able to anticipate future changes in lives, and the further accrual corrections those future life changes will require. That is, remaining life is a reactive tool (i.e., focused only on past life changes), not a proactive tool. This is critical, because: (a) history has shown that the FCC's past life prescriptions have been too long (therefore, requiring gradual life reductions and/or special dying account amortizations to dispose of the associated reserve deficiencies); and (b) it is reasonable to assume the FCC will make further life reductions in the future.
- Even for a life reduction that has already occurred, and for which remaining life is already compensating, remaining life will not completely achieve the needed catch-up in the reserve until the very end of the life of the account. This catch-up period could be much longer than is reasonable for the ILECs' assets to be properly reserved. For example, based on lives presently prescribed by the FCC, this catch-up period is as much as 10 to 15 years into the future for copper cable. This is significantly longer than the three-year catch-up period associated with the simple example of remaining life in the MiCRA report.⁴¹

VI. Claims of ILEC Over-Investment Since the Inception of Price Caps

AT&T challenges the propriety of the ILECs' recent investment, claiming this investment was excessive for the provision of basic telephony. AT&T states that, "as of year-end 1996, approximately 65% of ILEC historical [net] book investment had been acquired after January 1, 1990"⁴² (presumably meant to coincide with the 1991 implementation of the FCC's price cap rules). It supports this statement with an analysis, titled Assessing Incumbent LEC Claims to Special Revenue Recovery Mechanisms, prepared by Economics and Technology, Inc. (ETI) on behalf of AT&T.⁴³ This same report cites a 60% level of total net book investment acquired since January 1, 1990, as of the end of 1995.⁴⁴

Regarding AT&T's and ETI's calculation of the 60% or 65% of total net book investment acquired after 1989, all this exercise proves is that older plant is more depreciated than newer plant (i.e., for every dollar of plant, the net book value of newer plant is always higher than the net book value of older plant). In contrast, the proportion of gross book investment acquired after 1989 for SWBT is approximately 34% as of the

⁴¹ MiCRA, op. cit., page 8 (partial paragraph at top).

⁴² AT&T, op. cit., page 32.

⁴³ "Assessing Incumbent LEC Claims to Special Revenue Recovery Mechanisms: ...", ETI, Appendix B to AT&T Comments, CC Docket No. 96-262, page 13.

⁴⁴ Ibid., page 12.

end of 1995, and approximately 40% as of the end of 1996. More importantly, though, the relevant question is whether any of this newer investment, regardless of its proportion to total plant, was inappropriate. As explained previously in this affidavit, the ILECs post-1989 additions were not excessive or inappropriate, as AT&T and ETI claim, but instead, merely reflect the changes in customer demand and the cost benefits of newer technology in the telecommunications industry.⁴⁵

AT&T and ETI further claim that approximately \$30 billion of the unseparated net book value of 1990-1996 plant additions cannot be justified by the growth in basic service demand over that same seven-year period.⁴⁶ This conclusion by AT&T and ETI is based on an inappropriately narrow definition of basic service, and faulty assumptions about growth and investment made to meet this growth. SWBT agrees with and adopts SPR's rebuttal of this ETI analysis and conclusion.⁴⁷

SWBT is also amazed at the blatant inconsistency of ETI's position in this proceeding, vis-à-vis its position in its report, titled Financing RBOC Diversification: Patterns of Investment in Non-LEC Ventures, where it concluded that the ILECs' investment in their regulated telephone operations was too small.⁴⁸ This report also suggested that regulated depreciation had been misused by the ILECs and was therefore unnecessarily high.⁴⁹ Obviously, ETI suffered from the same misconceptions about the purpose of depreciation as MiCRA.⁵⁰ Also, as SPR observes, to ETI, "[a]pparently, a finding of any level of [ILEC] investment can, if artfully crafted, constitute an argument for slower [ILEC] capital recovery".⁵¹

SWBT similarly agrees with and adopts the other findings and observations in SPR's report.⁵²

VII. Responsibility for the Recovery of ILECs' Investments

MCI states that any past under-depreciation of the ILECs should be recovered from their customers of unregulated businesses.⁵³ However, as explained in my previous affidavit, it is the regulated customers who have benefited in the past from the delayed capital recovery prescribed by the FCC.⁵⁴ Therefore, it is reasonable for these regulated customers to provide the catch-up of the past under-recovery.

⁴⁵ See section IV of this affidavit.

⁴⁶ AT&T, op. cit., pp. 31-32; and ETI, op. cit., page 14.

⁴⁷ "The Depreciation Shortfall - Reply Comments", SPR, Attachment to USTA Reply Comments, CC Docket 96-262, filed February 14, 1997, pp. 10-14.

⁴⁸ "Financing RBOC Diversification: Patterns of Investment in Non-LEC Ventures", ETI, December 14, 1993, pp. 2 and 13.

⁴⁹ Ibid., pp. 6 and 13.

⁵⁰ See footnotes 28, 29, and 30 in this affidavit.

⁵¹ SPR, op. cit., page 15.

⁵² Ibid., all pages.

⁵³ MCI, op. cit., page 73.

⁵⁴ John P. Lube, op. cit., page 3 (second paragraph).

MCI also states, "In competitive markets, firms routinely write off plant made obsolete by more efficient competitors. For the Commission to allow [ILECs] to recover the value of their plant lost by the entry of more efficient competitors, would simply indemnify the [ILECs] against all competitive inroads."⁵⁵ As explained in my previous affidavit,⁵⁶ the past investment made by the ILECs was necessary to meet customers' demands and satisfy regulatory obligations under the environment where "there were no competitive providers that might prevent an incumbent from eventually recovering its entire investment [by] the end of the prescribed life"⁵⁷ (emphasis added). That is, this past investment was not made in the new competitive environment intended by the Act. It is the recovery of this past investment that SWBT asserts should be borne by the regulated customers who received the benefit of lower prices in the past. Conversely, it is the ILECs' shareholders who should bear the risk of recovery of future ILEC investment.⁵⁸

VIII. Conclusion

AT&T and MCI, along with their consultants, ETI and MiCRA, respectively, continue to assert, incorrectly so, that SWBT and the other ILECs have no past under-depreciation or under-recovery (of past investment) problems. They base this claim on their incorrect and self-serving assumptions that the ILECs' FCC-prescribed lives are adequate, the ILECs' past investment was inappropriate for the provision of telephony services, and that the ILECs' current life proposals are unsupported.

Clearly, these parties ignore several important issues. First, the regulatory process, for decades, constrained the ILECs' depreciation in regulated costs of service. It did this by postponing depreciation (and hence, recovery) into future costs of service, with the assumption that the ILECs would get eventual recovery. That may have been somewhat appropriate in the past, but certainly is not appropriate in the competitive environment contemplated by the Act. Therefore, because the timely recovery of the ILECs' existing network was not allowed in the past, as it should have been, the ILECs' past under-recovery must now be corrected during the transition to the new environment.

Second, past advances in technology (and the associated cost benefits available with these advances), past changes in customers' demands for services, and the beginnings of competition in the ILECs' markets all signaled the need for the ILECs to keep their network updated and efficient. These factors have necessitated the recent investment by ILECs in newer-technology plant. It is no surprise that the ILECs' future competitors (such as AT&T and MCI) would claim that this investment was inappropriate, and would want the ILECs' networks to be capable of providing only the most basic forms of telephony service (i.e., to keep the ILECs from being able to compete as full-service providers).

⁵⁵ MCI, op. cit., pp. 73-74.

⁵⁶ John P. Lube, op. cit., page 10 (first and second full paragraphs).

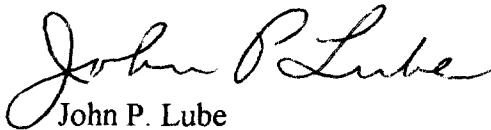
⁵⁷ FCC NPRM, CC Docket No. 96-262, paragraph 250.

⁵⁸ John P. Lube, op. cit., page 3 (third paragraph).

Third, the Act itself spurs on the introduction of new service providers (i.e., competition), new services, and new technologies in all telecommunications markets. Thus, the Act further supports the ability of all service providers, not just the new entrants in telecommunications markets, to compete fully and efficiently.

Consequently, the ILECs' past investment has been appropriate. Also, the depreciation lives proposed by the ILECs realistically and appropriately reflect the economic obsolescence of their plant. Finally, the ILECs' proposal for the transitional recovery of the past under-depreciation (as quantified using the ILECs' economic lives) is appropriate.

Submitted,

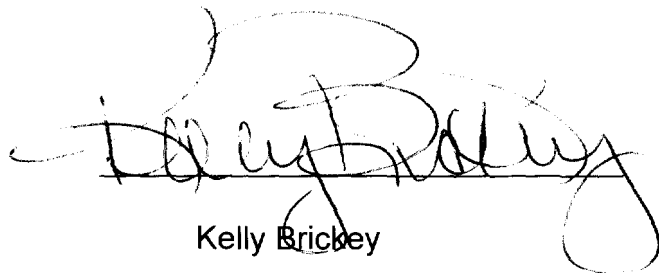
A handwritten signature in cursive script, reading "John P. Lube".

John P. Lube
Director-Capital Recovery

February 14, 1997

CERTIFICATE OF SERVICE

I, Kelly Brickey, hereby certify that the foregoing "Reply Comments of Southwestern Bell Telephone Company.", has been served February 14, 1997, to the Parties of Record.



Kelly Brickey

February 14, 1997

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